

FISCAL NOTE

HB 607 - SB 1436

April 3, 2007

SUMMARY OF BILL: Increases the penalty from a mandatory 30 day jail sentence to a mandatory 11 month 29 day sentence if an individual is convicted of DUI with a child in the car.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$89,000

Increase State Revenues - \$34,000

Increase Local Govt. Expenditures* – Exceeds \$2,750,000

Assumptions:

- An additional 334 days of incarceration for each offender.
- Approximately 175 DUI arrests annually with a child statewide.
- An average local government daily incarceration rate of \$47.34.
- The increase in local government expenditures is calculated as:
 $\$47.34 \times 334 \times 175 = \$2,767,023$
- An increase in the number of children that enter DCS custody as a result of a single parent being incarcerated or the primary earner in a dual parent household being incarcerated. Such increase is estimated to result in an increase in state expenditures of \$88,500.
- An increase in state revenues from the federal government for children taken in by DCS. Such increase is estimated to be \$34,000.

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

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A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large initial "J" and a distinct "W".

James W. White, Executive Director